

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|                                     |   |                     |
|-------------------------------------|---|---------------------|
| <b>YASSIR HASSAN,</b>               | : | <b>CIVIL ACTION</b> |
| <b>Petitioner</b>                   | : |                     |
|                                     | : |                     |
| v.                                  | : | <b>NO. 05-757</b>   |
|                                     | : |                     |
| <b>ROBERT J. MALVESTUTO, et al,</b> | : |                     |
| <b>Respondents</b>                  | : |                     |

**ORDER**

**STENGEL, J.**

**AND NOW**, this 18th day of August, 2005, upon careful and independent consideration of the petition for a writ of *habeas corpus*, and after review of the Report and Recommendation of Chief United States Magistrate Judge M. Faith Angell, and Petitioner's Objections thereto, IT IS HEREBY ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Petitioner's Objections are OVERRULED.
3. The petition for writ of *habeas corpus* is DISMISSED with prejudice as untimely.
4. There is no probable cause to issue a certificate of appealability.
5. The Clerk of the Court shall mark this case closed for all purposes.

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.